

CITY COUNCIL  
DRAFT RESOLUTION NO. \_\_\_\_\_  
GRANTING COASTAL DEVELOPMENT/LA JOLLA PLANNED DISTRICT  
PERMIT NO. 98-0835  
**DRAPER AVENUE CONDOMINIUMS**

WHEREAS, DRAPER PLAZA LLC, A NEVADA LIMITED LIABILITY COMPANY, Owner/Permittee, filed an application with the City of San Diego for a permit to relocate an existing single-family home, demolish 13 multi-family units in six existing buildings, and construct 12 townhouse condominiums in two, three-story buildings, with a subterranean parking garage, as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 98-0835, on portions of a 0.4 acre site; and

WHEREAS, the project site is located at 7518 through 7534 Draper Avenue in Zone 5 of the La Jolla Planned District of the La Jolla Community Plan; and

WHEREAS, the project site is legally described as Lots 26, 27, 28, 29, and 30 in Block 12 of La Jolla Park, Map 352; and

WHEREAS, on November 21, 2000, the City Council of the City of San Diego considered Coastal Development Permit and La Jolla Planned District Permit No. 98-0835 pursuant to Sections pursuant to Sections 105.0202 and 103.1204 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of San Diego adopts the following written Findings, dated November 21, 2000.

**COASTAL DEVELOPMENT PERMIT FINDINGS (SDMC Section 101.0205):**

- A. THE PROPOSED DEVELOPMENT WILL NOT ENCROACH UPON ANY EXISTING PHYSICAL ACCESSWAY LEGALLY UTILIZED BY THE PUBLIC OR ANY PROPOSED PUBLIC ACCESSWAY IDENTIFIED IN AN ADOPTED LCP LAND USE PLAN; NOR WILL IT OBSTRUCT VIEWS TO AND ALONG THE OCEAN AND OTHER SCENIC COASTAL AREAS FROM PUBLIC VANTAGE POINTS.**

The proposed development, to relocate an existing single-family home, demolish 13 multi-family units in six existing buildings, and construct 12 townhouse condominiums in two, three-story buildings, with a subterranean parking garage, would not encroach upon any public accessway or any view corridor identified by the La Jolla, La Jolla Shores Local Coastal Plan. No portion of the subject property is identified in the City's Local Coastal Program (LCP) or the La Jolla Planned District Ordinance as a public accessway

to the coast. The site is privately owned and therefore would not encroach upon any existing physical accessway legally utilized by the general public.

Construction of the proposed condominiums on the project site (and associated site improvements) is compatible with existing development in the surrounding area in terms of building height, intensity, land use, structural setbacks, and landscaping, and will comply with the relevant development requirements of the La Jolla Planned District Ordinance (Zone 5). Therefore, the proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted LCP land use plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.

**B. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT MARINE RESOURCES, ENVIRONMENTALLY SENSITIVE AREAS, OR ARCHAEOLOGICAL OR PALEONTOLOGICAL RESOURCES.**

The proposed development is located on a previously developed lot within Block 12 of La Jolla Park, Map 352. Drainage from the developed portion of the site will be directed toward the street. This development does not propose to encroach into undisturbed areas. As a result, no sensitive slopes or biologically sensitive resources exist on the property or would be disturbed in order to implement the proposed project.

Mitigated Negative Declaration (MND) No. 98-0835 incorporates a Mitigation Monitoring and Reporting Program for this project to protect and mitigate for any impacts to Historical and Paleontological Resources. These mitigation measures would reduce potential adverse impacts of the project to below a level of significance. The applicant has agreed to implement the recommended Mitigation Measures and Monitoring Program as outlined with MND No. 98-0835 and incorporated as conditions of CDP/LJPD Permit No. 98-0835.

Therefore, the proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

**C. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE REQUIREMENTS RELATED TO BIOLOGICALLY SENSITIVE LANDS AND SIGNIFICANT PREHISTORIC AND HISTORIC RESOURCES AS SET FORTH IN THE RESOURCE PROTECTION ORDINANCE, CHAPTER X, SECTION 101.0462 OF THE SAN DIEGO MUNICIPAL CODE, UNLESS BY THE TERMS OF THE RESOURCE PROTECTION ORDINANCE, IT IS EXEMPTED THEREFROM.**

As identified within Mitigated Negative Declaration (MND) No. 98-0835, the project site contains an historic house, located on site and addressed as 7520 Draper Avenue. The house, known as the Dr. Martha Dunn Corey House, was evaluated and designated

Historic by the Historic Site Board on March 24, 1999. In response to the designation, the applicant agreed to relocate rather than demolish the historic structure. The Mitigation Monitoring and Reporting Program of the MND and permit conditions will prevent any adverse impact to this historic resource.

Therefore, the proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Chapter X, Section 101.0462 of the San Diego Municipal Code.

**D. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT RECREATIONAL OR VISITOR-SERVING FACILITIES OR COASTAL SCENIC RESOURCES.**

The proposed development is located approximately 1,600 feet from the Pacific Ocean and will be on a lot that has no direct beach frontage or access. Development will be contained on a previously disturbed lot. No coastal scenic resources, recreational or visitor-serving facilities were identified on the project site (per the La Jolla Planned District Ordinance or the City's Local Coastal Program). Therefore, the proposed development will not encroach on any accessway or alter any on-street parking currently used by the public in their use of local visitor-serving facilities or coastal scenic resources.

**E. THE PROPOSED DEVELOPMENT WILL BE SITED AND DESIGNED TO PREVENT ADVERSE IMPACTS TO ENVIRONMENTALLY SENSITIVE HABITATS AND SCENIC RESOURCES LOCATED IN ADJACENT PARKS AND RECREATION AREAS, AND WILL PROVIDE ADEQUATE BUFFER AREAS TO PROTECT SUCH RESOURCES.**

The proposed development is not located on or adjacent to parks or recreational areas as identified in the La Jolla Coastal Program and the La Jolla Community Plan. Therefore, the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in nearby parks and recreation areas, and will provide adequate buffer areas to protect such resources.

**F. THE PROPOSED DEVELOPMENT WILL MINIMIZE THE ALTERATIONS OF NATURAL LANDFORMS AND WILL NOT RESULT IN UNDUE RISKS FROM GEOLOGIC AND EROSIONAL FORCES AND/OR FLOOD AND FIRE HAZARDS.**

The proposed development is to be located on a previously graded site where six structures currently exist. Grading proposed for the construction of the 12 unit condominium project would occur for the subterranean garage. The site is not located in

a geologic, flood, or fire hazard area. Therefore, the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards.

**G. THE PROPOSED DEVELOPMENT WILL BE VISUALLY COMPATIBLE WITH THE CHARACTER OF SURROUNDING AREAS, AND WHERE FEASIBLE, WILL RESTORE AND ENHANCE VISUAL QUALITY IN VISUALLY DEGRADED AREAS.**

The proposed development will consist of the relocation an existing single-family home, demolition of 13 multi-family units in six existing buildings, and construction of 12 townhouse condominiums in two, three-story buildings, with a subterranean parking garage, on a 0.4-acre lot. The project site is located in a neighborhood with mixed-use development, consisting of one-story, single-family residential, two to five story multi-family residential, with some retail, cultural (library), and commercial office space. Therefore, the proposed development will be similar in bulk, mass, and character to surrounding development and will be visually compatible with the character of the surrounding area.

**H. THE PROPOSED DEVELOPMENT WILL CONFORM WITH THE GENERAL PLAN, THE LOCAL COASTAL PROGRAM, AND ANY OTHER APPLICABLE ADOPTED PLANS AND PROGRAMS.**

The proposal to develop 12 units on 17,500 square feet of lot area is consistent with the Medium Density (14-34 dwelling units per acre) Residential designation of the La Jolla Community Plan. The development is also consistent with the development standards of the Zone 5 requirements of the La Jolla Planned District Ordinance, the City's Local Coastal Program (LCP), and the City of San Diego's Progress Guide and General Plan. Therefore, the proposed development conforms with the general plan, the local coastal program, and any other applicable adopted plans and programs.

**LA JOLLA PLANNED DISTRICT PERMIT FINDINGS (SDMC Section 103.1204):**

**A. THE PROPOSED USE WILL FULFILL A COMMUNITY NEED AND WILL NOT ADVERSELY AFFECT THE CITY'S PROGRESS GUIDE AND GENERAL PLAN OR THE ADOPTED PLANNED DISTRICT ORDINANCE.**

The residential land use (and associated site improvements) proposed on the subject property are consistent with recommended land use designations, design guidelines and development standards in effect for this site per the City's Progress Guide and General Plan, the La Jolla Planned District Ordinance, and the adopted La Jolla Community Plan. The proposed development would be compatible with the existing mixed-use development, consisting of one-story, single-family residential, two to five story multi-

family residential, with some retail, cultural (library), and commercial office space land uses surrounding the subject property.

The development of 12 residential units will fulfill a community need by providing available medium density residential units within this portion of the community, which is designated in the La Jolla Community Plan for medium density residential development, consistent with requirements of Zone 5 of the La Jolla Planned District Ordinance. The applicant is also required to provide 10 replacement units, or pay an in-lieu fee toward the provision of replacement units, in accordance with City Council Policy 600-3. If the in-lieu option were chosen, the in-lieu fees would be put into the Low and Moderate Income Coastal Housing Fund, ensuring that the funds are used to provide low and moderate income developments within the Coastal Zone, or, if not feasible, within 3 miles of the Coastal Zone boundary. Not only will 12 new residential units be developed within the Coastal Zone, but replacement units, or in-lieu fees towards replacement units in the Coastal Zone will be provided. Therefore, the proposed development will not adversely affect the City's Progress Guide and General Plan.

**B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA AND WILL NOT ADVERSELY AFFECT OTHER PROPERTIES IN THE VICINITY.**

The draft permit prepared for this project includes a number of conditions of approval relevant to achieving project compliance with the applicable regulations of the municipal code in effect for this site to assure the health, safety and general welfare of persons residing or working in the area. These conditions include restrictions upon the types of land uses and activities permitted on the property per the underlying zone and the minimum standards for landscaping (per the City's *Landscape Technical Manual*), and minimum standards to assure safe and functional pedestrian and vehicle access.

The proposed project and associated site design features are compatible with the character of the surrounding area (i.e., mixed-use development, consisting of one-story, single-family residential, two to five story multi-family residential, retail, cultural [library], and commercial office space) in terms of bulk, scale, design, intensity, and land use.

**C. THE PROPOSED USE WILL FULLY COMPLY WITH THE RELEVANT REGULATIONS OF THE MUNICIPAL CODE IN EFFECT FOR THIS SITE.**

The proposed development of this site for residential land use is consistent with the relevant regulations of the municipal code in effect for the subject property, including requirements for building setbacks, floor area ratios, building height, various site coverages, structural, and site design guidelines as specified and/or recommended by zone, the adopted La Jolla Community Plan, CEQA guidelines, the City's Local Coastal

Program (LCP), the *Landscape Technical Manual*, and the City of San Diego Progress Guide and General Plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council, Coastal Development Permit and La Jolla Planned District Permit No. 98-0835 is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in Permit No. 98-0835, a copy of which is attached hereto and made a part hereof.

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Richard A. Duvernay, Deputy City Attorney

Adopted on: November 21, 2000

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